



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

September 17, 1999

In re application of : CUMMINS, Barry W.
Serial No. : 09/369,096
Filed : August 5, 1999
Invention : **Acidic Composition of Matter for Use to
Destroy Microorganisms**
Our File No. : 9240.3802

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Hon. Commissioner of Patents and Trademarks
Attn: Application Division - Special Handling Unit
Washington, D.C. 20231

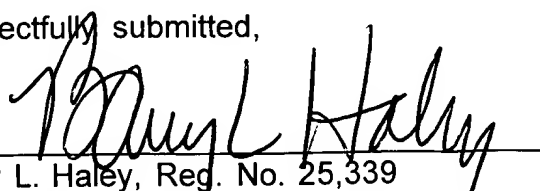
Dear Sir:

In response to the Notice to File Missing Parts of Application dated August 30, 1999, copy enclosed, the Applicant submits herewith the Declaration and Power of Attorney and the Verified Statement (Declaration) Claiming Small Entity Status.

Enclosed is a check made payable to the Commissioner of Patents and Trademarks in the amount of \$65.00 to cover the surcharge for filing the missing part to the application for a small entity.

Any additional charges, including extensions of time, please bill our Account No. 13-1130.

Respectfully submitted,


Barry L. Haley, Reg. No. 25,339
Malin, Haley, DiMaggio & Crosby, P.A.
One East Broward Blvd., #1609
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(954) 763-3303

In re application of
Serial No.
Filed
Invention

Our File No.



: CUMMINS, Barry W.
: 09/369,096
: August 5, 1999
: Acidic Composition of
: Matter or Use to Destroy
: Microorganisms
: 9240.3802

CERTIFICATE OF MAILING

HB

I HEREBY CERTIFY that the following correspondence:
RESPONSE TO NOTICE TO FILE MISSING PARTS; DECLARATION AND POWER OF ATTORNEY; VERIFIED STATEMENT; SURCHARGE IN THE AMOUNT OF \$65.00 and RETURN POSTCARD FOR CONFIRMATION OF RECEIPT is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 17th day of SEPTEMBER, 1999.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Any additional charges, including extension of time, please bill our Account No. 13-1130.

Pamela J. Brown

PAMELA J. BROWN / PARALEGAL

Date: September 17, 1999

MALIN, HALEY, DiMAGGIO & CROSBY, P.A.
One East Broward Boulevard, Suite 1609
Fort Lauderdale, Florida 33301
(954) 763-3303



Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/369,096	08/05/99	CUMMINS	B 9240,3802

09/369,096 08/05/99 CUMMINS

0212/0830

NOT ASSIGNED

BARRY L. HALEY ESQ
MALIN HALEY DIMAGGIO & CROSBY P.A.
ONE EAST BROWARD BOULEVARD
SUITE 1609
FORT LAUDERDALE FL 33301

1616

DATE MAILED:

08/30/99

10/30/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 510.00

☐ 1. The statutory basic filing fee is:

- ☐ missing
☒ insufficient.

Applicant must submit \$ 380.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202